

GOVERNMENT OF THE DISTRICT OF COLUMBIA  
BOARD OF ZONING ADJUSTMENT



Application No. 12761, of Mr. and Mrs. Russell Rich, pursuant to Paragraph 8207.11 of the Zoning Regulations, for a variance from the side yard requirements (Sub-section 3305.1 and Paragraph 7107.22) to permit an addition to a dwelling which is a non-conforming structure in the R-1-B District at the premises 3009 Hillcrest Drive, S. E., (Square 5657, Lot 825).

HEARING DATE: September 27, 1978

DECISION DATE: September 27, 1978 - Bench Decision

FINDINGS OF FACT:

1. Subject site is located on the northwest side of Hillcrest Drive between "W" and 30th Streets and is known as 3009 Hillcrest Drive, S. E.

2. The subject site is triangular in shape, 4627 square feet in area and improved with a two story brick detached dwelling with an adjoining garage.

3. To the north of the site across Hillcrest Drive is parkland under jurisdiction of the National Park Service. To the south separated by an alley, is the rear yard of a detached dwelling, fronting on "W" Street. Adjoining the property to the northwest is an unimproved 750 square foot lot, adjoined by a 5,691 square foot lot which is improved with a two story detached residence.

4. The applicant proposes to build a two story addition on the west side of the existing residence.

5. The addition will have an area of 460 square feet on each level, and accomodate a family room and bedroom.

6. A five foot side yard would remain after the addition is built; the regulations require an eight foot side yard. A variance of three feet is needed from the side yard requirements.

7. The proposed addition would not interfere with the light and air circulation to the adjoining residence to the west, since a five foot side yard would still provided and because the 750 square foot vacant lot separates the two.

8. By report dated September 21, 1978, the Municipal Planning office recommended that the application be approved on the grounds that it is unlikely that the proposed side addition would adversely affect surrounding properties or impair the intent and purpose of the R-1-B District.

9. Advisory Neighborhood Commission 7B recommended that the application be approved.

10. There was no opposition to the case.

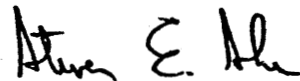
CONCLUSIONS OF LAW AND OPINION:

The requested variance is an area variance the granting of which requires the showing of practical difficulty. The Board concludes that the triangular shape of the subject site does constitute a practical difficulty. The Board concludes that the proposed addition will not affect light and air circulation to the adjoining residences. The Board concludes that the application can be granted without substantial detriment to the public good and without substantially impairing the intent, purpose and integrity of the zone plan as embodied in the Zoning Regulations and Maps. It is therefore ordered that the application be granted.

VOTE: 5-0 (Walter B. Lewis, Charles R. Norris, William F. McIntosh, Chloethiel Woodard Smith and Leonard L. McCants.

BY ORDER OF THE D. C. BOARD OF ZONING ADJUSTMENT

ATTESTED BY:

  
STEVEN E. SHER  
Executive Director

FINAL DATE OF ORDER: 30 OCT 1978

THAT THE ORDER OF THE BOARD IS VALID FOR A PERIOD OF SIX MONTHS ONLY UNLESS APPLICATION FOR A BUILDING AND/OR OCCUPANCY PERMIT IS FILED WITH THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT WITHIN A PERIOD OF SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS ORDER.